

### REMARKS

The April 10, 2003, Office Action in the above-identified application ("Office Action") issued a provisional double-patenting rejection of Claims 1-42 of this application based on Claims 1-40 of co-pending Application No. 09/806,966. Applicant respectfully disagrees. Applicant respectfully submits that the claims of the present application are clearly patentably distinct from the claims of Application No. 09/806,966. The basis for applicant's conclusion is set forth below.

While there are a number of similarities between Claims 1-42 of this application and Claims 1-40 of Application No. 09/806,966, there are also differences. Both sets of claims recite a substrate, a smooth highly reflective layer applied to said substrate and having a reflectivity of at least 60 gloss units, and a raised printed image applied to said reflective layer, at least part of said raised printed image having a height of at least 10 microns. However, the claims of the present application recite that the print image is formed by ink having properties that render the **raised print image transparent or translucent** while causing scattering of the light reflectance and transmittance such that the ink reflects light in a partially specular manner wherein the raised print image is visible at angles within a window of high reflection and substantially non-detectable outside the window. On the other hand, the claims of Application No. 09/806,966 cover a raised image printed using ink of a hue having a chroma value of at least 30 chroma units and/or a lightness of at least 50 lightness units. The claims of Application No. 09/806,966 do not cover a raised print image being formed of **transparent or translucent** ink that causes scattering in the defined manner. Item 4 on page 5 of the April 10, 2003, Office Action asserts that the presently claimed properties are naturally present in the ink that is described in Application No. 09/806,966. Applicant submits that this assertion is contrary to what is disclosed in the specification of Application No. 09/806,966. In this regard, enclosed is a copy of the text from the published international patent application relating to Application No. 09/806,966. On page 4, lines 5 and 6, the addition of a lightening agent such as  $\text{TiO}_2$  is discussed. Further, at page 4, lines 12 and 13, the specification specifically states that the  $\text{TiO}_2$  addition improves the opacity of the printed image sufficiently to hide the reflective patch. Similarly, on page 7, lines 17 and 18m it is stated that the addition of  $\text{TiO}_2$  to the intaglio ink formulation increases reflectivity, **while maintaining the opacity of the ink film**. Applicant submits that it is abundantly clear that the inks disclosed in Application Serial No. 09/806,966 do render the raised print image transparent or translucent as recited in Claim 1 of the present application. The specification of Application No. 09/806,966 further discusses using pure colors (page 4, line 10) without any

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

reference to transparency or translucency. Furthermore, at page 7, lines 24-26, the opacity of the ink film is further emphasized as follows:

The height of the intaglio ink achieves two things: it ensures the opacity of the ink film and therefore no reflective ink from underneath the intaglio patch is viewable through the encased ink.

The reason for the opacity is explained at page 8, paragraph 1, of the specification of Application No. 09/806,966. The intaglio ink is printed on a reflective patch. As the patch is viewed at an angle perpendicular to the light source, the viewer will see two distinct colors, including the highly reflective metallic patch and the relatively pure color of the intaglio ink. As the viewing angle is changed, the reflective metallic patch will become comparatively duller and the intaglio pigment will become brighter and more enhanced. This is an optically variable effect that changes with the viewing angle. The same effect would not be achieved if the ink were translucent or transparent as in the present invention.

Moreover, there is simply no disclosure in Application No. 09/806,966 that the disclosed inks are transparent or translucent. Applicant submits that the invention is clearly distinguishable on this basis.

The Office Action asserts in item 3 that the invention of the present application is obvious in the light of Application No. 09/806,966. Applicant disagrees. As discussed above, there are various references in the specification of Application No. 09/806,966 to the intaglio ink formulation being colored and opaque so that no reflective ink from underneath the intaglio patch is viewable. Thus, Application No. 09/806,966 teaches away from the use of a transparent or translucent intaglio ink formulation. Application No. 09/806,966 clearly does not teach or suggest the present invention and, thus, would not lead a person skilled in the art to the disappearing effect of the present invention.

The effect produced by the present invention using a transparent or translucent ink is quite different from that of Application No. 09/806,966. In the present invention, the raised print image is substantially non-detectable outside the window of high reflection because the image disappears at a certain angle when tilted. In contrast, the image created from the colored intaglio ink in Application No. 09/806,966 is **always** visible whichever way the note is tilted, and it brightens at a certain angle when tilted.

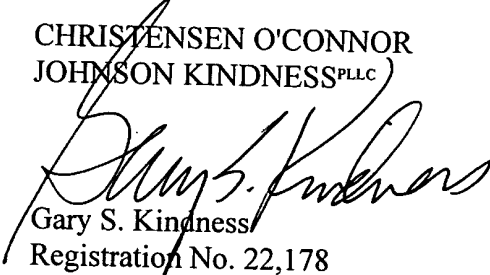
In summary, applicant respectfully submits that Claims 1-42 of the above-identified application are clearly patentably distinguishable over the Claims 1-40 of Application No. 09/806,966. As a result, applicant respectfully submits that this application is in condition

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

for allowance. Consequently, early and favorable action passing this application to issue is respectfully solicited.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

  
Gary S. Kindness

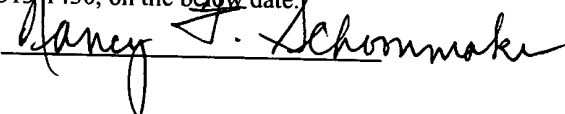
Registration No. 22,178

Direct Dial No. 206.695.1702

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop NonFee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date:

7/1/03

  
Nancy J. Schommake

GSK:ejh/nfs